IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
CIVIL APPLICATION NO. 1197 OF 2004
IN
FIRST APPEAL NO. 1425 OF 1988

Sonkhar Industrial Salt Works Pvt. Ltd. ... Appellant

Vs.

The State of Maharashtra ...Respondent

Mr. G.S. Godbole for Appellant.

Mr. K.K. Tated, A.G.P. for State.

CORAM : F.I. REBELLO & ANOOP V. MOHTA,JJ.
DATED : AUGUST 25, 2004
P.C. :

1. First appeal was disposed of on 6.11.2000. The appellants however, were denied interest on solatium in terms of the law as it then stood. Subsequently the Apex Court has taken a view that solatium forms part of compensation and consequently interest will also be payable on the said amount. This application which is termed as a Review application and or an application to recall the order, will have to be allowed. We therefore, pass the following order :

2. Order dated 6.11.2000 is modified to the extent that the appellants herein are entitled to all benefits under the Act as amended including

interest on solatium.

. The appellant would also be entitled to benefit under Section 23(1A) of the Land Acquisition Act.

3. The case of the appellant in Prayer Clause (ii) is that they have received only a sum of Rs.1,45,715.15 and not sum of Rs.2,45,715.15 as set out in the judgement of this court. The Respondent herein will deposit the balance amount in terms of the order dated 6.11.2000 as now modified, subject to adjustment of the amount already paid and after verifying whether the amount already paid is Rs.1,45,715.15 or Rs.2,45,715.15. If it is found to be Rs.1,45,715.15, then balance be calculated accordingly.

5. Application stands disposed of accordingly.

. Personal Secretary to issue authenticated copy of this order.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)